

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 18, 2006. Claims 1-27 were pending in the application and are rejected. Claims 1, 10, 15 and 22 are amended herein and Claim 27 is canceled without prejudice or disclaimer. For the reasons discussed below, Applicants respectfully request reconsideration and favorable action in this case.

Section 102 Rejections

The Examiner rejects Claims 1, 7-8, 15, 19-20 and 27 under 35 U.S.C. § 102(a) and (e) as being anticipated by U.S. Patent No. 6,496,289 B1 issued to Kuroyanagi et al. ("*Kuroyanagi*").

Independent Claim 1 of the present application, as amended, recites the following limitations (with the limitations added in the current amendment being italicized):

An optical cross-connect comprising:
a plurality of input ports each operable to receive an optical input signal, each input signal comprising a plurality of channels that are each operable to carry optical traffic;
a plurality of output ports each operable to output an optical output signal;
a distributing amplifier associated with each input port, each distributing amplifier operable to generate a plurality of copies of the input signal received at the associated input port;
a plurality of filter units each operable to:
receive a copy of one or more of the input signals from one or more of the distributing amplifiers; and
forward traffic in selected channels of one or more of the copies; and
a combining amplifier associated with each output port, each combining amplifier operable to:
receive the traffic in one or more of the channels forwarded by one or more of the filter units; and
combine the received traffic into an output signal to be output from the associated output port;
the optical cross-connect further comprising:
at least one upgrade input port and at least one upgrade output port expanding the capacity of the optical cross-connect;

an upgrade distributing amplifier associated with the upgrade input port and an upgrade combining amplifier associated with the upgrade output port;

a first upgrade filter unit operable to receive a plurality of copies of an input signal received at the upgrade input port, the first upgrade filter unit coupled to each of the combining amplifiers associated with the plurality of output ports and operable to forward traffic in selected channels of one or more of the copies to the combining amplifiers; and

a second upgrade filter unit operable to receive a copy of one or more of the input signals from one or more of the distributing amplifiers associated with the plurality of input ports and to forward traffic in selected channels of one or more of the copies to the upgrade combining amplifier associated with the upgrade output port.

Independent Claims 10, 15 and 22 recite similar, although not identical, limitations.

Claim 1 is allowable at least because *Kuroyanagi* does not disclose an upgraded optical cross-connect as recited in amended Claim 1, and as similarly recited in amended Claims 10, 15 and 22. As an example only, *Kuroyanagi* does not disclose the claimed first and second upgrade filter units associated with the upgrade input and output ports. For at least this reason, Applicants respectfully request reconsideration and allowance of independent Claims 1, 10, 15 and 22, as well as those claims that depend from these independent claims.

Section 103 Rejections

The Examiner rejects Claims 2-6, 9-14, 16-18 and 21-26 under 35 U.S.C. § 103(a) as being unpatentable over *Kuroyanagi*. Claims 2-6, 9-14, 16-18 and 21-26 each depend from one of independent Claims 1, 10, 15 or 22. As discussed above, Applicants believe that each of these independent claims is in condition for allowance. Therefore, Applicants respectfully request reconsideration and allowance of Claims 2-6, 9-14, 16-18 and 21-26 at least because such claims depend from an allowable independent claim. Reconsideration and favorable action are respectfully requested.

CONCLUSION


Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicant, at the Examiner's convenience at (214) 953-6986.

Applicants hereby take a one-month extension of time for responding to this Office Action. The Commissioner is hereby authorized to charge the one-month extension fee of \$120.00 to Deposit Account No. 02-0384 of Baker Botts L.L.P. The Commissioner is also authorized to charge any other fees or credits to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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